

04.13.05

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**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

Docket No.
1340-1-021CIP2 (SJ-0015)

In Re Application Of: Sorrentino and Schuetz

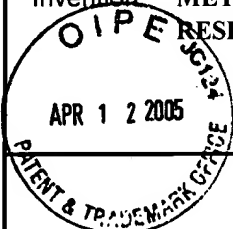
| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|--------------|----------------|--------------|----------------|------------------|
| 09/866,866 | May 29, 2001 | Qian Janice Li | 31949 | 1632 | 4688 |

Invention: **METHOD OF IDENTIFYING AN/OR ISOLATING STEM CELLS AND PROGNOSING
RESPONSIVENESS TO LEUKEMIA TREATMENT**

04/14/2005 EFLORES 00000037 09866866

01 FC:2252

225.00 OP



COMMISSIONER FOR PATENTS:

This is a combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of October 20, 2004 in the above-identified application.

Date

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated October 20, 2004 finally rejecting Claim(s) 16, 17 and 21-18

Applicant(s) hereby request(s) an extension of time of (check desired time period):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: February 21, 2005

Date

until:

April 20, 2005

Date

The fee for the Notice of Appeal and Extension of Time has been calculated as shown below:

Fee for Notice of Appeal: \$250.00

Fee for Extension of Time: \$450.00

TOTAL FEE FOR NOTICE OF APPEAL AND EXTENSION OF TIME: \$700.00

The fee for the Notice of Appeal and extension of time is to be paid as follows:

☐ A check in the amount of _____ for the Notice of Appeal and extension of time is enclosed.

☐ Please charge Deposit Account No. _____ in the amount of _____

☒ The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1619

☒ Any additional filing fees required under 37 C.F.R. 1.16.

☒ Any patent application processing fees under 37 CFR 1.17.

☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-1619

☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

04/14/2005 EFLORES 00000036 09866866
01 FC:2401

250.00 OP

**COMBINED NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES & PETITION FOR
EXTENSION OF TIME UNDER 37 C.F.R. 1.136(a) (Small Entity)**

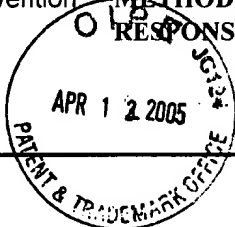
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In Re Application Of:

Sorrentino and Schuetz

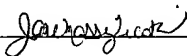
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Invention: **METHOD OF IDENTIFYING AN/OR ISOLATING STEM CELLS AND PROGNOSING
RESPONSIVENESS TO LEUKEMIA TREATMENT**



TO THE COMMISSIONER FOR PATENTS:

This combined Notice of Appeal from the Primary Examiner to the Board of Patent Appeals and Interferences and petition for extension of time under 37 CFR 1.136(a) is respectfully submitted by the undersigned:



Signature

Dated: April 12, 2005

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office

(Fax no. _____) on _____

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____

(Date)

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***This certificate may only be used if paying by deposit account.**

CC:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Sorrentino and Schuetz

Docket No.

1340-1-021CIP2 (SJ-0015)

Application No.

09/866,866

Filing Date

May 29, 2001

Examiner

Qian J. Li

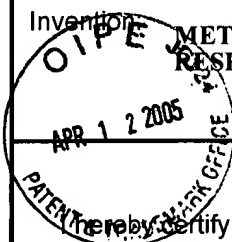
Customer No.

31949

Group Art Unit

1632

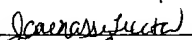
Invention

**METHOD OF IDENTIFYING AND/OR ISOLATING STEM CELLS AND PROGNOSING
RESPONSIVENESS TO LEUKEMIA**

I hereby certify that the following correspondence:

Notice of Appeal & Petition for Extension of Time (Small Entity)*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

April 12, 2005*(Date)*Jane Massey Licata*(Typed or Printed Name of Person Mailing Correspondence)*
*(Signature of Person Mailing Correspondence)*EV583917423US*("Express Mail" Mailing Label Number)***Note: Each paper must have its own certificate of mailing.**

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Sorrentino and Schuetz

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1340-1-021CIP2 (SJ-0015)

Application No.

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Filing Date

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Examiner

Qian J. Li

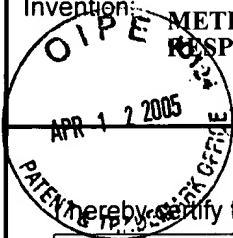
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Group Art Unit

1632

Invention:

METHOD OF IDENTIFYING AND/OR ISOLATING STEM CELLS AND PROGNOSING
RESPONSIVENESS TO LEUKEMIA

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April 12, 2005

(Date)

Jane Massey Licata

(Typed or Printed Name of Person Mailing Correspondence)

(Signature of Person Mailing Correspondence)

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